

REGULAR MEETING OF THE BOARD OF COMMISSIONERS  
CITY OF FRANKFORT, KENTUCKY

AUGUST 18, 2003  
5:00 P.M. (EST)

PRESENT: Commissioner Lynn Bowers  
Commissioner Tracey Turner Thurman  
Commissioner Andrew S. Layson  
Commissioner Robert Roach  
Mayor William I. May, Jr. (5)  
ABSENT: None (0)

Invocation by Reverend Alan Sorem, South Frankfort Presbyterian Church.

Following roll call, it was moved by Commissioner Thurman, seconded by Commissioner Layson, that the reading of the minutes of July 21, 2003 Regular Meeting; August 4, 2003 Work Session and Special Meeting; and August 13, 2003 Special Meeting be dispensed with and approved. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Bowers, seconded by Commissioner Roach, that the Memorandum of Agreement with Save the Grand Theatre, Inc. be placed on agenda. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Roach and Mayor May (3). Voting against the motion were Commissioners Thurman and Layson (2). The motion was thereupon adopted.

**Ceremonial Items:**

Employee Recognition

Carter Northcutt was presented collar insignia and badge in recognition of his promotion to rank of Sergeant which became effective August 1, 2003, Fire Department.

Donna Hecker, President of Citizens for Open Government, presented letter regarding appointment of members to serve on Merger Commission.

**Ordinances:**

Item 3.1 "AN ORDINANCE ACCEPTING DIAGNOSTIC DRIVE, A PORTION OF C. MICHAEL DAVENPORT BOULEVARD, AND A PORTION OF TO BE ANNOUNCED BOULEVARD AS PUBLIC STREETS" was presented and read. This ordinance had its first reading July 21, 2003. It was moved by Commissioner Bowers, seconded by Commissioner Thurman, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 14, 2003 Series)

Item 3.2 "AN ORDINANCE AMENDING ORDINANCE NO. 4, 1990 SERIES, AND FRANKFORT MUNICIPAL CODE SECTION 15.04.030 - FEES FOR PERMITS (BUILDING) was presented and read. This ordinance had its first reading July 21, 2003. It was moved by Commissioner Bowers, seconded by Commissioner Layson, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 15, 2003 Series)

Item 3.3 "AN ORDINANCE AMENDING ORDINANCE NO. 5, 1990 SERIES, AND FRANKFORT MUNICIPAL CODE SECTION 15.16.150 - INSPECTION FEES (ELECTRICAL)" was presented and read. This ordinance had its first reading July 21, 2003. It was moved by Commissioner Layson, seconded by Commissioner Roach, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson,

Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 16, 2003 Series)

Item 3.4 "AN ORDINANCE AMENDING FRANKFORT/FRANKLIN COUNTY ZONING DISTRICT REGULATIONS, ARTICLE 3, SECTION 3.01 DEFINITIONS AND ARTICLE 4, SECTION 4.05 TABLE OF PERMITTED USES AND SECTION 4.06 NOTED SPECIAL CONDITIONS" was presented and read.

Item 3.5 "AN ORDINANCE FIXING THE RATE OF TAXATION FOR THE YEAR 2004 ON ALL MOTOR VEHICLES AND LEVYING SAID TAX FOR ALL CITY PURPOSES" was presented and read.

Item 3.6 "AN ORDINANCE AMENDING FRANKFORT MUNICIPAL CODE CHAPTER 15.24, ORDINANCE NO. 14, 1999 SERIES, AND ORDINANCE NO. 24, 2001 SERIES, PROPERTY MAINTENANCE CODE" was presented and read.

Item 3.7 "AN ORDINANCE AMENDING ORDINANCE NO. 8, 2003 SERIES, AND FRANKFORT MUNICIPAL CODE SECTION 2.93.050 BI-WEEKLY RATES (SALARY ORDINANCE)" was presented and read.

#### **Resolutions:**

Item 5.1 "A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR 2003 RENAISSANCE KENTUCKY/MAIN STREET DOWNTOWN REVITALIZATION GRANT AND DESIGNATING THE MAYOR TO EXECUTE ALL GRANT DOCUMENTS PERTAINING TO THIS APPLICATION BETWEEN THE CITY OF FRANKFORT, RENAISSANCE KENTUCKY AND DOWNTOWN FRANKFORT, INC." was presented. It was moved by Commissioner Thurman, seconded by Commissioner Bowers, that the resolution be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Resolution No. 11, 2003 Series)

#### **Consent Calendar:**

The following miscellaneous and personnel items were presented:

- 6.1 Bid award for three (3) Self Contained Leaf Vacuums to The ODB Company at bid price of \$24,161.00 each with funding from Equipment Account 100.62.56550; The ODB Company's bid price being the higher of the two bids meeting all required specifications but selected as the best bid in providing a 20% discount on parts, the lowest bid eliminated as it did not meet the specifications (Public Works Department);
- 6.2 Authorization for payment to University of Kentucky for archeological survey for Frankfort Research & Office Park in amount of \$3,000.00 with funding from reserve for contingency account 100.95.53295 (Public Works Department);
- 6.4 Personnel
  - \$ Appointment of Mark A. Traylor and Michael W. Felty to position of Firefighter effective September 2, 2003 (Fire Department);
  - \$ Promotion of Allan Burris from position of Equipment Operator II to position of Street Superintendent effective August 19, 2003 (Street Division, Public Works Department);
  - \$ Accept retirement of James Harley from position of Foreman, Sanitation Division, effective August 29, 2003 and authorize payment of 63.5 hours of accrued vacation leave (Public Works Department);

It was moved by Commissioner Thurman, seconded by Commissioner Layson, that all of the above listed miscellaneous and personnel items be approved. All members being present and no objection having been filed with the City Clerk, the motion was thereupon adopted by general consent.

#### **Board Appointments:**

Upon recommendation of Mayor May, it was moved by Commissioner Roach, seconded by Commissioner Thurman, that Marshall Flynn be appointed to the Frankfort/Franklin County Planning Commission for a term to expire July 1, 2007, replacing Lee Waterfield whose term has expired. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

**Old Business:**

Item 8.1 It was moved by Commissioner Layson, seconded by Commissioner Thurman, that the Continuing Engineering Services Agreement with PEH Engineers/Strand Associates be extended for a term of three (3) years, expiring on September 30, 2006, to continue with the development and implementation of the Combined Sewer Overflow Long Term Control Plan, with a contract increase of \$50,000.00 with funding from Sewer Account 300.68.56550. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

**Orders:**

"AN ORDER AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH SAVE THE GRAND THEATRE, INC. PROVIDING FOR CERTAIN FUNDING APPLICATIONS AND THE GRANTING OF EASEMENTS FOR THE GRAND THEATRE PROJECT" was presented. It was moved by Commissioner Bowers, seconded by Commissioner Roach, that this order be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Roach and Mayor May (3). Voting against the motion were Commissioners Thurman and Layson (2). The motion was thereupon adopted. (Order No. 8, 2003 Series)

**New Business:**

Item 9.1 It was moved by Commissioner Layson, seconded by Commissioner Thurman, that the Acting City Manager be authorized to solicit Requests for Qualifications for retaining architectural services to study the needs for Police, Communications and EOC Facilities. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Thurman, seconded by Commissioner Roach, that Harrodswood Road remain closed during the reconstruction of Cardwell Lane. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. Prior to the motion, Wayne Carroll spoke in opposition to re-opening of Harrodswood Road.

**Commissioner Comments:**

Commissioner Bowers provided update on Habitat for Humanity activities and thanked Parks & Recreation staff for their help with Kiwanis Club baseball tournament.

Commissioner Thurman inquired if any updates had been received from Task Force on South Frankfort Community Center.

Commissioner Roach recommended adding a representative of State Government to the Holmes Street Task Force.

Following no objection, meeting adjourned upon motion by Commissioner Roach, seconded by Commissioner Bowers.

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MAYOR

ATTEST:

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CITY CLERK

